

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

LUIS CANO, REYES WILFREDO FUNES ROMERO,
KEVIN ZELAYA, and JOSE NELSON IRAHETA,
individually and behalf of those similarly situated,

Plaintiff(s)

v.

JOHN ARMATO, YVETTE ARMATO a/ka/ YVETTE
BAHAMONDE, TUSCANY MARBLE AND GRANITE,
INC.,

Defendant(s)

Civil Action No. 23-cv-03812-JMA-AYS

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* John Armato
6 Halsey Lane
Centerport, NY 11721

See attached rider for additional Defendants Yvette Armato and Tuscany Mable and Granite, Inc.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Christopher Marlborough
The Marlborough Law Firm, P.C.
375 Sunrise Highway
Suite 3
Lynbrook, NY 11563

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



BRENN A. MAHONEY
CLERK OF COURT

Concetta Landow

Signature of Clerk or Deputy Clerk

Date: 05/24/2023

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

LUIS CANO, REYES WILFREDO FUNES
ROMERO, KEVIN ZELAYA, and JOSE
NELSON IRAHETA individually and behalf of
those similarly situated,

Case No. 23-cv-3812

Plaintiffs

Summons Rider

vs.

JOHN ARMATO, YVETTE ARMATO a/ka/
YVETTE BAHAMONDE, TUSCANY MARBLE
AND GRANITE, INC.,

Defendants.

-----X

Complete list of Defendants to be served:

John Armato
6 Halsey Lane
Centerport, NY 11721

Yvette Armato
6 Halsey Lane
Centerport, NY 11721

Tuscany Marble and Granite, Inc.,
6 Halsey Lane
Centerport, NY 11721